

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

GEORGIA FILM FUND SEVENTEEN
PRODUCTIONS, LLC,

Plaintiff/Counterclaim Defendant,

No. 1:14-cv-00032, KG-KK

vs.

JUAN SANCHEZ, individually and as President of the
CHILILI LAND GRANT/LA MERCED DE CHILILI,
the LA MERCED DE PUEBLO DE CHILILI BOARD
OF TRUSTEES,

Defendants/Cross-Claim Defendants, and

PATRICK ELWELL,

Defendant/Counterclaim Plaintiff/Cross-Claim Plaintiff.

SUPPLEMENT TO MOTION TO DISMISS

Comes Now the Defendant's Sanchez and the Board of Trustees of the Chilili Land Grant and supplement their Motion to Dismiss (Doc. 13), filed on November 4, 2014, with the following to establish the jurisdictional amount cannot be met:

1. Plaintiff's Offer of Judgment in the amount of \$35,000 (Exhibit 1 hereto).
2. Defendant Elwell's Acceptance of the offer (Exhibit 2 hereto).

Wherefore, these Defendants's respectfully request the complaint be dismissed.

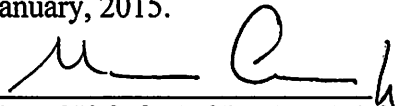
GARCIA LAW OFFICE

By: 

NARCISO GARCIA, JR., LLC

Attorney for Defendants
2033 San Mateo Blvd., N.E.
Albuquerque, NM 87110
(505) 265-5010

I HEREBY CERTIFY that a copy of the foregoing pleading was electronically filed, which caused the document to be electronically transmitted to defense counsel on this 29th day January, 2015.



NARCISO GARCIA, JR., LLC

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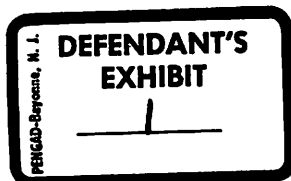
Defendant/Counter-Plaintiff

OFFER OF JUDGMENT

Plaintiff/Counter-Defendant Georgia Film Fund Seventeen Productions, LLC ("Georgia Film") pursuant to Rule 68 Fed.R.Civ.P., in satisfaction of all issues between it and Defendant/Counter-Plaintiff Elwell, hereby offers to allow judgment against it and in favor of Defendant/Counter-Plaintiff Elwell, in the amount of \$35,000.00, inclusive of all claimed relief, costs and attorneys' fees as set forth in the judgment attached hereto as Exhibit 1.

FOSTER, RIEDER & JACKSON, P.C.

By: /s/Geoffrey D. Rieder
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Seventeen Productions, LLC*



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*Attorneys for Plaintiff Georgia Film Fund
Seventeen Productions, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on January 16, 2015, a true and correct copy of the foregoing was served electronically by the Clerk on counsel of record.

Richard D. Barish
Leonard G. Espinosa
ESPINOSA & ASSOCIATES, P.C.
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/S/Geoffrey D. Rieder
Geoffrey D. Rieder

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OF TRUSTEES,**

Defendants/Cross-Claim Defendants, and

and PATRICK ELWELL,

Defendant/Counter-Plaintiff

JUDGMENT

This cause having come before the Court upon the acceptance of an offer of judgment pursuant to Rule 68 Fed.R.Civ.P., tendered by Plaintiff/Counter-Defendant Georgia Film Fund Seventeen Productions, LLC to Defendant/Counter-Plaintiff Patrick Elwell, in full satisfaction of all issues between it and Defendant/Counter-Plaintiff Elwell, the Court being advised that Defendant/Counter-Plaintiff Elwell has timely accepted the offer. It is hereby

ORDERED that judgment is entered in favor of Defendant/Counter-Plaintiff Elwell and against Plaintiff Georgia Film Fund Seventeen Production, LLC in the amount of \$35,000.00, which amount is inclusive of all issues and claims between these two parties, including any and all relief, damages, costs and attorneys' fees.

DISTRICT JUDGE

EXHIBIT 1

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

GEORGIA FILM FUND
SEVENTEEN PRODUCTIONS, LLC,

Plaintiff / Counterclaim Defendant,

vs.

No. 1:14-cv-00032-KG-KK

JUAN SANCHEZ, individually and as
President of the CHILILI LAND GRANT /
LA MERCED DE CHILILI, and LA MERCED
DEL PUEBLO DE CHILILI BOARD OF TRUSTEES,

Defendants / Cross-Claim Defendants, and

PATRICK ELWELL,

Defendant / Counterclaim Plaintiff / Cross-Claim Plaintiff.

ELWELL'S ACCEPTANCE OF OFFER OF JUDGMENT

Defendant / Counterclaim Plaintiff Patrick Elwell ("Elwell"), by and through his counsel,
Espinosa & Associates, P.C. (Richard D. Barish and Leonard G. Espinosa), hereby accepts the
Offer of Judgment of Plaintiff / Counterclaim Defendant Georgia Film Fund Seventeen
Productions, LLC in the amount of Thirty-Five Thousand Dollars (\$35,000.00).

Respectfully submitted,

ESPINOSA & ASSOCIATES, P.C.
Electronically signed,

By: /s/ Richard D. Barish
Richard D. Barish
Leonard G. Espinosa
Counsel for Patrick Elwell
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